



Third Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

*Published under the
authority of
The Honourable George Hickes
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
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McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
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PENNER, Jack	Emerson	P.C.
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TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 2, 2002

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

TABLING OF REPORTS

Hon. Becky Barrett (Minister of Labour and Immigration): Mr. Speaker, I am pleased to table the following report, copies of which have previously been distributed: the Manitoba Labour Board Annual Report for the year 2000-2001.

I would also like to table the following reports: the Workers Compensation Board of Manitoba 2001 Annual Report; the Workers Compensation Board of Manitoba, Five-Year Plan for 2002-2006; and the Workers Compensation Board Appeal Commission and Medical Review Panel Annual Report for 2001.

Hon. Diane McGifford (Minister charged with the administration of The Manitoba Lotteries Corporation Act): Mr. Speaker, I am pleased to table the Manitoba Lotteries Corporation Second Quarter Report for the period April to September 2001, and the Manitoba Lotteries Corporation Third Quarter Report for the nine months ended December 31, 2001.

Hon. Tim Sale (Minister of Family Services and Housing): Mr. Speaker, on behalf of the Minister of Finance (Mr. Selinger), I would like to table the Supplementary Information for Legislative Review 2002-2003 Departmental Estimates of Expenditure.

INTRODUCTION OF BILLS

Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

Hon. Drew Caldwell (Minister of Education, Training and Youth): Mr. Speaker, I am pleased today to introduce a bill entitled The

Public Schools Modernization Act (Public Schools Act Amended).

I move, seconded by the honourable Member for Brandon West (Mr. Smith), that leave be given to introduce a bill entitled The Public Schools Modernization Act.

Mr. Speaker: Does the honourable member have a message from the Lieutenant-Governor to table?

Mr. Caldwell: Mr. Speaker, His Honour the Lieutenant-Governor, having been advised of the contents of this bill, recommends it to the House.

Mr. Speaker: I would like to ask the honourable minister to let the House know that you are tabling the message.

Mr. Caldwell: Thank you, Mr. Speaker. I am pleased to table the message.

Motion presented.

Mr. Caldwell: This bill amends The Public Schools Act to enable the minister to make regulations subsequent to the amalgamations of school divisions and school districts in the province of Manitoba.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Honourable Members: No.

Mr. Speaker: Agreed?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Bill 15—The Fatal Accidents Amendment Act

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by

the Minister of Health (Mr. Chomiak), that leave be given to introduce Bill 15, The Fatal Accidents Amendment Act, and that the same be now received and read a first time.

Point of Order

Mr. Marcel Laurendeau (Official Opposition House Leader): When the bill was introduced you asked for leave. I said no to the leave. Could you tell me why we still proceeded? Was there not supposed to be something happening there?

Mr. Speaker: The honourable Government House Leader, on the same point of order.

* (13:35)

Mr. Mackintosh: I just do not believe that. The practice in this House, as the member knows full well, is that the wording on Introduction of Bills at first reading is using the word "leave". It does not mean that there is unanimous consent required of the House to introduce a bill, for goodness sake, Mr. Speaker.

Mr. Speaker: Order. For the record, for the previous bill when I asked if it was the pleasure of the House, people were yelling. I thought it was all yea, and I did not hear the nay.

Mr. Laurendeau: I said nay.

Mr. Speaker: Okay. So would you like to revert back then?

Mr. Laurendeau: Yes, we can revert.

Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

Mr. Speaker: Okay. We will revert back to the bill. It has been moved by the honourable Minister of Education, Training and Youth (Mr. Caldwell), seconded by the honourable Minister of Consumer and Corporate Affairs (Mr. Smith), that leave be given to introduce Bill 14, The Public Schools Modernization Act (Public Schools Act Amended), and that the same be now received and read a first time.

His Honour the Lieutenant-Governor, having been advised of the contents of this bill, recommends it to the House.

Is it the pleasure of the House to adopt the motion?

Voice Vote

Mr. Speaker: All those in favour of the motion, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the motion, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Yeas have it.

Bill 15—The Fatal Accidents Amendment Act

Mr. Speaker: Order. Now we will go to Bill 15. It has been moved by the honourable Attorney General (Mr. Mackintosh), seconded by the honourable Minister of Health (Mr. Chomiak), that leave be given to introduce Bill 15, The Fatal Accidents Amendment Act, and that the same be now received and read a first time.

Motion presented.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, this bill provides standardized and increased awards for loss of care, guidance and companionship to family members of a deceased in a wrongful death. The bill also requires these awards to be adjusted to take inflation into account.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today from Oak Grove School in Fargo, North Dakota, 69 Grades 7 and 8 students under the direction of Mrs. Bette Grande.

* (13:40)

Also in the public gallery we have 25 Grade 9 students from Collège Churchill. These students are under the direction of Mr. Jean-Paul Bergeron. This school is located in the

constituency of the honourable Minister of Advanced Education (Ms. McGifford).

On behalf of all honourable members, I welcome you here today.

ORAL QUESTION PERIOD

Taxation Provincial Comparisons

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, in the past two and a half years, the Doer government has seen a billion dollars of new revenue come in and spent every penny of it. Rather than returning some of that money into the pockets of hardworking Manitobans, he chose to go out and spend it. The Doer government may claim that they have a revenue problem, but the reality is they have a spending problem.

Will the First Minister explain to hardworking, middle-income earners in Manitoba why they have the dubious moniker of being the highest taxed west of Québec?

Hon. Gary Doer (Premier): Mr. Speaker, the spending numbers indicate that there was a higher percentage spending in the last three years previous to the 1999 election in the 1999-2000 Budget over the '97-98 Budget. There was also a higher draw from the Fiscal Stabilization Fund of \$100 million, \$185 million and \$185 million in each of the last three years before the election. I think the spending was at 17 percent over those three years in terms of increased spending versus an average of 2.5 percent under our Government. The amount of money that the member opposite has been bellowing out for the last number of months is factually incorrect. It is a little over \$500 million since we were elected. That is offset by a tax reduction of about \$240 million.

Mr. Speaker, we had the highest corporate taxes when we came into office in the 2000 tax tables we were left and bequeathed in the 1999 Budget. We had, in some categories, the highest tax rates in the '99 Budget contained within the 2000 Budget tables. You will notice in '01 and '02, those tax rates are going down. They will go down in '03. The tax reductions made by our

Government in three years on income tax alone is much greater than the tax reductions made by members opposite in 11 years.

Mr. Murray: Well, yesterday was the 1st of May, May Day, and in many respects I think that is what the taxpayers of Manitoba were saying. Mayday, Mayday, we need some help. We need some help, something, Mr. Speaker. Frankly, these are becoming very Doer days for the Manitoba taxpayers. Prior to—

Mr. Speaker: Order. I would like to remind all honourable members when making reference to honourable members to please do so by their constituency or ministers by their titles. I will ask for the co-operation of all honourable members, please.

Mr. Murray: On the same point of order, Mr. Speaker, I apologize. I was strictly referring to d-o-u-r days for Manitobans.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I was not rising on a point of order. I was just informing the House and asking the co-operation of all honourable members. So there was no point of order raised.

The honourable Leader of the Official Opposition has the floor.

Mr. Murray: Thank you, Mr. Speaker. Prior to the Doer government coming in, a middle-income family in Manitoba was paying \$200 less in taxes than that same family in Saskatchewan. Now, after the third Budget by the Doer government, that same middle-income family in Manitoba is paying \$800 more than that same family in Saskatchewan. Why does this First Minister not recognize the importance of competitiveness in Manitoba? Why does he not make Manitobans at least as competitive as those in Saskatchewan?

Mr. Doer: I just want to get the facts on the table. I know that is a foreign concept to members opposite. The expenditure levels in the year 1997-98 were, the previous year, \$4.8 billion. They went up to \$5.9 billion when members opposite were finished, clearly over a billion dollars. The expenditure levels since that

time have gone from \$5.97 billion to \$6.56 billion. Those are facts, and the member opposite is looking in the mirror when he talks about a billion dollars in expenditures, because a billion dollars in expenditures has not happened on this side of the House. I think it is shameful that members opposite continue to use false information with the public.

* (13:45)

Mr. Murray: The only false information I believe that I am aware of is that somebody on the other side, the First Minister at the time promised he would end hallway medicine in six months, and we know that has not worked. That has failed. Why when the First Minister likes to talk about a Manitoba advantage is it that it really is a Manitoba disadvantage, that we are the highest taxed west of Québec and they have done nothing about it?

Mr. Doer: When we came into office, a family of four, a single-earner was not the highest taxed family west of Québec. It was the highest taxed individual in Québec, outside of Québec, east of Québec, west of Québec. We have lowered the Tory tax that was bequeathed in the 2000 tax tables. It was \$6,300. We are now down to \$5,600. Every year we have been lowering that tax rate. The fact of the matter is, members opposite spent a billion dollars. They are the ones that spent the money.

Secondly, Mr. Speaker, I—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: We are the only government in the last 12, 13 years that has both reduced or increased the investments in property tax education portions to flatten out those education taxes that went up by 50 to 100 percent under the former members and, secondly, have decreased income tax in every budget we have brought in.

In fact, our income tax decreases in three years are with less money out of the rainy day fund. We did not use \$185 million to pay for a tax reduction. Those tax reductions in the first

three years in office are greater than income tax reductions in the whole 11 years that members opposite introduced in Manitoba.

Finally, Mr. Speaker, the members opposite talk about Saskatchewan. Saskatchewan takes five times more money from Crown corporations and different funds. On one hand they are against money coming from Crown corporations, and on the other hand they want to match other comparable conditions. They better get their act together.

Winnipeg Police Service Staffing Complement

Mrs. Joy Smith (Fort Garry): Mr. Speaker, last night a police officer was shot here in the city of Winnipeg. That brings up to four police officers, one who died this year, as a result of gunshot wounds. Under this minister's watch and under this Government's administration, we have had police intimidation happening at an all-time high across this province.

There are now 3600 known gang members in this province, openly operating in this province I might add. When the NDP government came into power, the Hells Angels moved in shortly after that. We have a problem, a big problem.

* (13:50)

Mr. Speaker, can the Attorney General assure Manitobans that our police force is at full complement this year and has been at full complement at all times?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Gary Doer (Premier): First of all, Mr. Speaker, I would like to commend the Winnipeg police force and their action last evening in protecting the public and apprehending a suspect. I was in the vicinity driving my daughter home and I could see the perimeter that was established by the police and its effective work eventually allowed the arrest to take place.

I would also like to, on behalf of this House and this Chamber, pass on our full wishes of a

speedy recovery to the police officer that was unfortunately shot by the suspect and the other officer that was directly involved and in a very, very dangerous situation last evening.

Mr. Speaker, the number of police officers in Manitoba are at their highest level and the police complement, as I understand it, is the City of Winnipeg, which is the responsibility of the City of Winnipeg Council, is certainly at a level that I believe the City is saying is at full complement.

Grievances—Staffing Complement

Mrs. Joy Smith (Fort Garry): Can the Premier then tell this House if there are any complement grievances in place this time since his great words of sympathy toward the need of the police in this city have been reiterated in the paper time and time again, and we, too, from this side of the House compliment the police and understand the challenges they have on the street?

But my question now to this Premier, since I just heard that they are at full complement: Can this Premier tell this House if there are any complement grievances in place at this time?

Hon. Gary Doer (Premier): The member would know this is a matter for the City Council. I know the Mayor and the Minister of Justice (Mr. Mackintosh) met recently and the issue, I think the amount of police officers retiring versus the numbers that are graduating this year is in very positive shape for the city of Winnipeg.

Mr. Speaker, let me say that members talked a little bit about gangs. I would point out that we can all do a better job in this House. On November 22, we introduced a bill in this Chamber to provide police more weapons to go after alleged gang members and fortified houses, fortified dwellings that unfortunately in our communities had gangs located.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, I regret that on November 27 and 28 members opposite, rather

than speak to this bill or pass the bill, adjourned the bill.

Mrs. Smith: Can this Premier stop passing the buck and recognize the fact that the Province has put money into the police complement, and can this Premier advise this House about any grievances that have been put forward around this complement?

Mr. Doer: Mr. Speaker, I think all members of this House should be taking a look at the big picture here. We have three officers who have been shot, one of whom has been murdered, in the last couple of months in Manitoba. We have police officers right across this country who are being shot and some of whom have been allegedly murdered and charges are pending in the courts.

In December, our Attorney General, our Minister of Justice (Mr. Mackintosh) wrote the federal government prior to one of the incidents taking place asking and suggesting strongly on behalf of the people of Manitoba that the conditions of parole that exist in Canada be strengthened so the public interest and the interest of safety for all citizens would be made much more of a priority in our system.

* (13:55)

On a personal level as a citizen, and I know as our Government, the conditions of faint hope, I think, are misplaced. I would like to see us eliminate the faint-hope clause section in Canada and have a stronger sentencing and implementation strategy. I also think, again as a citizen, that it is unfortunate. I believe when the consequences for a heinous act of murder, when convictions take place in the court, and subject to convictions taking place in the court, that a life sentence is not a life sentence. I believe the Canadian public want to back up our police officers with stronger penalties and a national Criminal Code to support our police officers right across Canada.

Mr. Speaker: The honourable Member for Fort Garry, on a new question?

Mrs. Smith: On a new question. Mr. Speaker, crime is out of control in this province. The

police are not being supported. It is all smoke and mirrors when it comes to supporting police because the complement is not there. They are playing games with the numbers.

Having said that, I would like to ask this Attorney General: Is the Attorney General aware of any grievances, any complement grievances before this province right now?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, I want to first commend the Winnipeg Police Service for the extraordinary effort, the professional and just outstanding effort shown to all Manitobans by this excellent police force with regard to the incident that I believe gave rise to the question. Thankfully, there was no death involved here, and I wish on behalf of all Manitobans for the speedy recovery for those officers who were injured.

The circumstance last night does reflect an increasing concern across this country about the safety of our police officers. A shot at a police officer is a shot at our collective well-being, and that is why this Government and this Premier have made the announcement today. We have to take on the parole system, how it operates, and the role of the faint-hope clause in the Criminal Code.

Mrs. Smith: Can the minister inform this House as to whether or not there are complement grievances on the books right now?

Mr. Mackintosh: Mr. Speaker, the member raised some numbers about gang members that to my understanding have no basis whatsoever. Further, I just want to remind the members opposite that it is my understanding that the Hells Angels arrived in Manitoba under the watch of the Conservative government in the fall of 1997.

Now having said that, the member has asked the questions about the complement of the Winnipeg Police Service. It is entirely within the purview of the City of Winnipeg with regard to the recruitment, the training, and the turnover of police officers with the Winnipeg Police Service. So if there are grievances—and I believe she is asking about grievances at the city level—then,

Mr. Speaker, there are municipal elections in October and she is entitled to run for City Council.

Mrs. Smith: Then is this Attorney General aware that the Province has funded police officers to be on the street, and that it is the Province's responsibility to keep watch on the checks and balances? Are there grievances before this Province?

* (14:00)

Mr. Mackintosh: Well, Mr. Speaker, we are not, to my knowledge, a party to any grievances under the collective agreement between the Winnipeg Police Association and the City of Winnipeg, Winnipeg Police Service. So, if there is information that the member requests, I can forward that on to the City of Winnipeg and ask them if they would respond to the member.

I just want to remind the member that yesterday she and the members opposite stood up and they voted against a budget, a budget that increased funding to provincial policing that increased 4.5 percent, almost \$3 million. In fact, over the course of this Government, support for policing has increased 19 percent, an increase of \$10.6 million. They voted against that.

Midwifery Programs Funding

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, my question is for the Minister of Health. On Wednesday, April 24, minutes from the Central Manitoba Regional Health Authority state, and I quote: Midwifery funding for the third position is integral to program sustainability. The program will be in jeopardy if we do not receive the funding.

My question to the Minister of Health is: Was this funding approved and communicated to the Central Regional Health Authority?

Hon. Dave Chomiak (Minister of Health): There are several issues that are implicit in the question. Firstly, as I indicated in response to questions, yesterday we provided the regions with their budgets across the board, and there were significant increases to regions right across

the board with respect to their particular budget. I am also very pleased that we were the Government that presided when we brought midwifery into Manitoba.

Mrs. Mitchelson: My supplementary question to the minister is: Since the midwifery program in Brandon is also under-resourced and may be in danger of closing, has the money been approved in this year's Budget to keep the program open?

Mr. Chomiak: I am a little bit confused, because the Member for Charleswood (Mrs. Driedger) constantly stands up and says there is enough money, in fact they are spending too much money in health care. Now the Member for River East is saying: Are you not spending enough money in a specific line area?

I do not think members opposite can have it both ways by saying: You are spending too much. In fact, the leader stood up today and said: You are spending too much; and now the member says: Are you not spending enough on this program?

I suspect, Mr. Speaker, there is quite a contradictory message from the members who sit beside each other on the front bench, and they ought to get their lines together.

Mrs. Mitchelson: Then my question to the Minister of Health would be: Why would he, after bragging about reducing administrative costs, create a new position, a new administrative position in the Winnipeg Regional Health Authority, and hire his spin doctor, Terry Goertzen, directly into that position without competition, when he is starving the front lines and denying midwifery to rural Manitobans?

Mr. Chomiak: I have no more control over the hiring of individuals at the Winnipeg Regional Health Authority than I have of the hiring of the former Member for Lac du Bonnet, one Darren Praznik, at Canadian Blood Services that we fund to the tune of \$40 million a year.

**Winnipeg Regional Health Authority
Director of Public Affairs**

Mr. Speaker: The honourable Member for River East, on a new question.

Mrs. Bonnie Mitchelson (River East): On a new question. I want to quote from the Minister of Health on Budget day, April 22, and he said, I quote: Where we can, we will take money out of administration so we can get resources to the care providers, the nurses, the doctors and other health care areas so that front-line positions will be filled and Manitobans can get care.

Mr. Speaker, will he now indicate that the administrative position that he created under his watch in the Winnipeg Regional Health Authority should be cancelled, and that money should go to fund midwifery front-line programs?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, one of the last significant administrative changes made was to take two health regions in the city of Winnipeg, created by members opposite, and reduce senior management positions by 50 percent, and members opposite were against that.

Mrs. Mitchelson: Right after the minister bragged about reducing administrative staff he creates new administrative positions, so he speaks out of both sides of his mouth.

Mr. Speaker, will the Minister of Health tell this House how much of a raise Terry Goertzen got from leaving the special adviser position in his office and being directly appointed into a newly created administrative position in the Winnipeg Regional Health Authority?

Mr. Chomiak: Mr. Speaker, one of the very, I think, good examples of how this Government has approached matters is the fact that when we came into office we took two health regions and merged them into one, thus reducing senior management by 50 percent and members opposite opposed that initiative.

Mr. Speaker, we also streamlined other administrative initiatives and saved significant funds. We took VON and put it into the WRHA, thereby reducing administrative costs, something I asked members opposite to do year after year, and they did not do it when they were 11 years in government. We made more administrative changes and more administrative savings in our period of time and will continue to do so than they did in 11 years in office.

Mrs. Mitchelson: My direct question to the Minister of Health is: How many front-line midwifery positions could be funded for the \$90,000 in administrative salary that he created in the Winnipeg Regional Health Authority, a new position, with his political mouthpiece that has been appointed to that position?

Mr. Chomiak: Mr. Speaker, with the amount of savings that we made from the amalgamation of the two health authorities we were able to hire upwards of perhaps 20 nurses. Perhaps the close to 100 specialists that have come back to Winnipeg have been assisted by the funding of that administrative money.

Mr. Speaker, members opposite love to try to have it both ways. They stand up. The first question was: You are spending, you are spending. Now the question is: Spend on this, spend on this. I think--

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (14:10)

Mr. Chomiak: Thank you, Mr. Speaker. I think that the record, in particular this year, the merging of rural authorities, and members opposite--

Mr. Speaker: Order.

Crown Corporations Business Practices

Hon. Jon Gerrard (River Heights): Mr. Speaker, in my view, from time to time a minister of the Government says something in Question Period that all of us believe could have been said better. I would like to give the Minister responsible for the Manitoba Lotteries Corporation another chance.

I ask the minister: Is it the policy of the minister and her Government that Crown corporations should follow exemplary business practices?

Hon. Diane McGifford (Minister charged with the administration of The Manitoba Lotteries Corporation Act): Well,

Mr. Speaker, I thank the member for his question. I want to advise the House that I have been advised by the Manitoba Lotteries Corporation that, as of this morning, they have been issued an interim occupancy permit for the McPhillips Street Station and the Club Regent casinos. The earlier occupancy permit had expired due to a clerical error on behalf of the architectural group who was responsible for obtaining these permits for the casinos.

Casino Renovations Ventilation Problems

Hon. Jon Gerrard (River Heights): Mr. Speaker, I find it a little extraordinary that the minister will blame the architect when it clearly stated March 15 expiry.

I would like to table a letter and accompanying documentation written to the Minister responsible for the Lotteries Corporation. *[interjection]* No, it had expired, clearly.

I ask the Minister responsible for the Lotteries Corporation if the failure of the full mechanical certification for the casinos has anything to do with the extraordinary ventilation problems at the casinos, which are the subject of this letter and are resulting in highly polluted smoke-filled rooms.

Hon. Diane McGifford (Minister charged with the administration of The Manitoba Lotteries Corporation Act): Mr. Speaker, I just received the letter signed by the member, so of course I have not had opportunities to examine the letter. However, I have been assured that the City of Winnipeg has assured Lotteries that they are in full compliance as far as health and safety codes are concerned. The only problem here was a clerical error.

Mr. Speaker, Lotteries has not been operating outside the law. There have been no special exceptions, no shady deals, nothing sinister. The only thing that has happened is that there is legal conflict between two companies, and Manitoba Lotteries Corporation has been caught in the middle.

Mr. Gerrard: Mr. Speaker, it remains problematic with the mechanical certification.

When there are complaints about the operation of the mechanical system at the casinos and complaints as to the resulting smoke, air pollution and conditions, which are against the very policy of this Government to improve work or health and safety, I would ask the minister if she will not address immediately the operation of the ventilation systems and improvement in the smoking conditions in the casinos.

Hon. Gary Doer (Premier): Mr. Speaker, the minister has taken the specifics of his letter under notice. I think it is important that she follow up the questions, and I am sure she will, as she did yesterday with the question.

I could not help but reflect on the former federal minister's position on Crown corporations. For any of us now living in the province of Manitoba dealing with his decision on Pinawa and AECL, where there is nuclear waste without a plan, where there was \$78 million of R&D investments that were made in Manitoba pulled away, where the Ottawa Valley had a five-year cleanup plan from the federal government, and he was not able to obtain it for Manitoba, for those of us who are trying to deal with the mess that was left behind by the former minister when he was responsible for AECL, I think he should be a little careful in lecturing other ministers of the Crown on Crown corporations.

Point of Order

Mr. Gerrard: Mr. Speaker, while I acknowledge and would have welcomed perhaps the elevation to become when I was at the federal level the minister fully responsible for AECL, the Minister of Natural Resources, I was indeed never in that position. I would take exception to the comments which were made by the Premier.

Mr. Speaker: The honourable First Minister, on the same point of order.

Mr. Doer: The member does not have a point of order. We will go back and look at all the visits the member opposite made in his capacity as federal cabinet minister responsible for science. I want to say that the commitments that were made by the member opposite, we are still trying

to deal with those commitments he made in Pinawa.

Mr. Speaker: The honourable Member for Turtle Mountain, on the same point of order.

Mr. Mervin Tweed (Turtle Mountain): Mr. Speaker, it just goes to show what this Premier will do and will say to mislead the people of Manitoba.

Mr. Speaker: Order. I have heard four points of order. I will hear one more and then I will make my ruling. The honourable Member for Emerson (Mr. Jack Penner), on a point of order?

On the point of order raised, the honourable Member for River Heights does not have a point of order. It is a dispute over the facts.

Transportation Government Initiatives

Mr. Speaker: I had recognized question No. 7 to the Member for Dauphin-Roblin.

Mr. Stan Struthers (Dauphin-Roblin): My question is for the Minister of Transportation and Government Services.

It is very important in rural Manitoba that we be able, in order for economic development, to have the ability to move our goods and produce out to market. We have faced the abandonment of rail lines over the years, and we have faced the previous government throughout the '90s, who did not support us and had a lack of a plan of any kind for transportation.

I want to know what this minister is doing to address this neglect.

Hon. Steve Ashton (Minister of Transportation and Government Services): I am pleased to get the first question on transportation since the announcement of our Budget.

I want to tell you that it is no wonder members opposite do not want to ask questions, because in the '90s they had no plan, they had no long-term funding commitment. We have committed to both as a result of the Budget that was passed yesterday.

We are not only planning for the future, we are working right now. We added \$37 million. Actually in the *Nickel Belt News*, they accidentally called it \$37 billion. When you have been starved for that long it looks like a billion.

We are working on Highway 59. We brought in programs at 210 in Ste. Adolphe, 20 in Dauphin, 10 in The Pas, Steinbach intersection improvements, 25 in Rivers, but the one I like the most is Highway 227 in Portage, which I attended with the Highways critic. They said that when we announced we were going to upgrade the road, they waited 42 years. It took an NDP government, and yesterday, in the Budget, they voted against it.

U.S. Agriculture Legislation Impact on Manitoba Producers

Mr. Jack Penner (Emerson): Mr. Speaker, I rise today to offer condolences for all those farmers in the province that have shut off their lights over the last three years. I want to indicate that pending—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I am sure all the members would wish to hear the question.

Mr. Jack Penner: I would also like to say that approval of the \$73.5-billion U.S. farm bill clearly presents major problems to Manitoba farmers who still exist, and it would seem that the federal government has washed its hands of Manitoba farmers and their problems.

* (14:20)

Can the Minister of Agriculture indicate to this House what the dollar value is of the losses that will be incurred and the hurt that will be incurred to Manitoba farmers? Has she done that calculation?

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Mr. Speaker, the bill that the member refers to has not yet been passed, but the bill does cause us serious concern because, at the present time, if you compare the supports offered for one of the commodities that is very important to Manitoba, the U.S. support

was at 49 percent, compared to Europe at 43 percent and Canada at 17 percent.

That kind of subsidy and similar subsidies for other commodities took over \$250 million annually out of Manitoba's economy. Now, with this increase of subsidies and with the idea of their plan to move to offering subsidies on pulses and to move into labelling of meat of origin, all of these things are going to have a dramatic impact on our producers in this province.

Mr. Speaker, I have written to the federal Minister responsible for International Trade and the Minister responsible for Agriculture on this very important issue.

Mr. Jack Penner: My question is to the Premier. What concrete steps will the Premier of this province take to ensure that the hurt that will definitely be caused, the very great increased hurt that will be caused to farmers, what action does he contemplate taking in this province to secure our food production system?

Hon. Gary Doer (Premier): Mr. Speaker, first of all, we are absolutely opposed to subsidies in the United States, and we are opposed to subsidies in Europe. We have taken a consistent position with our counterparts, our U.S. counterparts, the U.S. federal minister of Agriculture through the Canadian Embassy, and the head of agriculture in the European Union, Mr. Fischler, whom we have met with.

We believe, and the Minister of Trade has been in meetings in Qatar recently on the issue of subsidies following the meetings in Mexico City of last August and September.

There is no question that the subsidy issue will continue to hurt western Canadian farmers and prairie farmers, and either the federal government has to stop the subsidies, in our view, or bridge the trade negotiations that are going on. The third alternative of letting the family farm absolutely be sacrificed in this trade war without comparable treatment to the American subsidies, in my view, is unacceptable in the view of the Government and, I am sure, the view of the whole Legislature.

Secondly, Mr. Speaker, we are trying to diversify our agricultural economy. The

nutraceutical centre at the University of Manitoba, having new food products from agriculture, the food centre at Portage that I think the demise was prematurely predicted by the member opposite with the investment last Friday is a very important diversification. The Simplot plant that was predicted to never go ahead under our Government is another example of agricultural diversification. The 17% increase in livestock production in Manitoba is another example. Improving the drainage provisions will help farmers get on the field a little earlier than they have in the past when it was a wet period. Ethanol is another example where we want to have a made-in-Manitoba solution to some of these international distortions and subsidies that are unfair.

Having said that, we think our federal government has two choices: Either get rid of the subsidies as the representative for international trade or match them so the family farm does not go down.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Ruling

Mr. Speaker: I have a ruling for the House.

During Oral Questions on April 29, 2002, the honourable Official Opposition House Leader (Mr. Laurendeau) raised a point of order regarding comments concerning people taking medication that he attributed as being spoken by the honourable Member for Transcona (Mr. Reid). The honourable Premier (Mr. Doer) also spoke to the same point of order. I took the matter under advisement in order to peruse Hansard.

On page 839 of Hansard, the words "Are you off your meds again" do appear, however the words are not attributed to any specific member. Although the honourable Official Opposition House Leader made reference to the words as being uttered by the honourable Member for Transcona, the honourable Member for Transcona did not state on the record whether he did or did not say the words in question. As I ruled on November 14, 2001, without a clear indication either through identification in Hansard or by admission from a

particular member that the words in question were indeed spoken by that member, it places the Speaker in a difficult position to rule on the language used.

I therefore cannot rule on whether there was or was not a point of order in this instance. I would, however, like to take this opportunity to remind all members that we should be referring to each other in terms and language that are temperate and are worthy of this Chamber and the positions that we hold.

Mr. Daryl Reid (Transcona): If there are any comments that were attributed to myself and it caused any hardship for any members of the House, I apologize for that, Mr. Speaker.

Mr. Speaker: I thank the honourable Member for Transcona.

MEMBERS' STATEMENTS

Public Safety Initiatives

Mr. Harry Schellenberg (Rossmere): Mr. Speaker, I rise today to discuss an important issue to all Manitobans. The safety of our citizens is of utmost importance to this Government. The safety of our police force is also incredibly important, for society cannot have one without the other. This has been a difficult year for police in Manitoba.

Last night, two policemen were injured in an incident. We have also recently seen two RCMP officers who were involved in shootings, one fatal. These incidents remind us, again, of the selfless role police officers fulfil in protecting all of us wherever we live. For those reasons, our Government is providing resources to various initiatives designed to improve public safety, including the Criminal Organization Unit, a new Manitoba RCMP gang unit, and we have introduced harsher penalties to a host of crimes.

On behalf of all members of the Legislative Assembly, I would like to acknowledge the dedication and hard work done by police officers everywhere.

* (14:30)

Baldur Stefansson

Mr. Edward Helwer (Gimli): I rise today to recognize the passing of Baldur Stefansson on

January 3, 2002, at the age of 84. Baldur Stefansson was the plant breeder who in 1974 revolutionized agriculture by creating one of the world's most popular food oils, Canola. The importance of Canola has become evident since its inception in 1974. Approximately 10 to 12 million acres are grown in western Canada each year. Baldur Stefansson started out trying to develop a soya bean for western Canada, but eventually changed his focus and began to crossbreed rapeseed with a forage variety of rapeseed.

The development of Canola ensured the survival of the Winnipeg Commodity Exchange. Canola is a dominant crop on the Exchange making up about 85 percent of trade, and Stefansson's Canola also spawned Canola oil producing plants in every prairie province creating hundreds of jobs. The Canola industry is worth over \$2 billion annually to western Canada in terms of export sales of Canola seed, oil and animal feed. By being the first to develop Canola, Baldur Stefansson gave prairie farmers a five-to-seven year head start over competition in other countries. Over the course of his lifetime, Stefansson received numerous awards, including the Order of Canada, the Order of Manitoba, the Order of the Falcon and honorary doctorates from the universities of Manitoba and Iceland.

Mr. Speaker, Baldur Stefansson was a brilliant man whose years of research greatly benefited the people and the economy of Manitoba. So, on behalf of all members of the PC caucus, I send sincere condolences to Mr. Stefansson's family. He was a great man whose outstanding contributions to this province will long be remembered.

High School Hockey Championship

Ms. Bonnie Korzeniowski (St. James): It is with tremendous pride that I rise today to tell the Legislative Assembly of the exciting St. James hockey season, specifically the final AAAA Provincial High School Hockey Championship game of the 11th of March, and the Winnipeg Women's High School Hockey finals of the 18th of March. Both the men's and women's teams displayed exceptional sportsmanship and were impressive in their abilities.

Although the men's Silver Heights Huskies were the underdogs, they won against the heavy

favourite the River East Kodiaks 4 to 1. The Huskies had been beaten by the Kodiaks five times this season, including at the city championship final, but at the provincials the whole team showed tremendous heart. Huskies' goalie John McLaghlan turned away all shots on net but one, helping to ensure a substantial lead on their rivals. The most remarkable aspect of this game was that senior forward Ryan Jackson, playing the last game of his high school career, separated his shoulder in the first period, yet he insisted on playing the rest of the game with a taped shoulder and managed to score the last two goals to complete the score of 4 to 1.

The Huskies women's team was pitted against the St. Mary's Flames in the city finals. Although they lost they still came in second place, no small feat in an increasingly competitive sport. Their goalie, Vanessa Kingston was a sensation, stopping several shots on goal including a two on one. Vanessa is only in Grade 9 and clearly has a promising future.

I want to take this time to send my sincere congratulations to coaches Carl Hussey, John Camperman and Kerry Komorofsky. Silver Heights principal Len Harris and his exceptional vice-principal and staff also deserve recognition for all of their hard work at promoting their school and who are so supportive of all their sports teams.

I hope you will all join me in expressing sincere congratulations to both teams.

Thank you.

Steinbach Credit Union

Mr. Jim Penner (Steinbach): Mr. Speaker, it gives me great pleasure to recognize an exceptional business in a small community.

The Steinbach Credit Union is a 61-year-old made-in-Manitoba success story with more than 47 000 members and more than \$1 billion in assets. It is the largest credit union in the province. By the way, it is also the largest single-branch credit union in Canada. It started on May 20, 1941, when 15 people met to establish a credit union in Steinbach. They had been operating at that time with 95 members and \$540 worth of cash.

In 61 years, Steinbach Credit Union has enjoyed many highlights including: November '46, Steinbach Credit Union moved to its own building with a membership of 1000; in 1955 the Credit Union reached \$1 million in assets; March 12, 1960, Steinbach Credit Union reached 4000 members; by '67 the Credit Union had passed \$10 million in assets; membership reached 10 000 in '75; \$100 million in assets in '79; in '86 the Credit Union opened its new building and membership reached 20 000; the Steinbach Credit Union and its board of directors and 175 employees joined thousands of members to celebrate the milestone of \$1 billion in assets August 25, 2001.

Since 1981 the Steinbach Credit Union has returned \$17.5 million to its members in the bonus and cash rebates. On February 12, at its annual membership meeting, Steinbach Credit Union announced to its members that it will be opening a branch in Winnipeg, and yesterday we had the sod turning at Kenaston and Waverley for the new Steinbach Credit Union in Winnipeg. Thank you, Mr. Speaker.

Assiniboia West Tournament of Champions

Mr. Jim Rondeau (Assiniboia): Mr. Speaker, I rise today to salute the individuals responsible for the Assiniboia West Tournament of Champions that was held this year from March 29 to April 14.

This tournament is the largest minor hockey tournament in western Canada, with 156 teams participating. It takes five locations and a whole week to play this tournament. Teams from across Manitoba, including Beausejour, Ste. Anne, Warren, Portage la Prairie, and most areas in Winnipeg participate regularly in this tournament.

I understand from spending time at the tournament and from the feedback I received from many of the coaches and people I chatted with that this tournament has one of the best reputations for being well organized, having excellent refereeing, excellent sportsmanship and a great attitude all around.

I would like to particularly congratulate the volunteers who make this possible. There were

20 students from the St. James-Assiniboia High School volunteer program that assisted in running the tournament. A total of 300 volunteers, 100 officials, hundreds of coaches and literally thousands of participants made the 31st Annual Tournament of Champions a huge success.

I would particularly like to congratulate these people, and they are called the black jackets. These are the guys who work all year long in order to organize and run it. It is: Jerry Jones, Cynthia Jones, Shawn Cook, George Wildeman, Paul Munroe, Marvin Lee, Barb Lee, Jason Lee, Randy Watt, Dan Scherger, Mike Bracken, Ken Gregorchuk and Rob Kalichuk, who were the main tournament organizers.

I congratulate all those possible for their commitment to the community youth and the future of our province. Thank you very much.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call the following bills on second reading: First of all, Bill 9. Then debate on second readings, would you please call bills in the following order: No. 7, No. 6. Would you canvass the House to determine if there is leave to call No. 10 for a second time today, and then, at the request of the Opposition, Bill 2.

Mr. Speaker: Second reading of Bill 9, we will start off with. Then we will go to resumed debate on second readings in this order: Bill 7 and then Bill 6. Then we will call for leave.

Is there leave to call Bill 10 for a debate on second reading, to put it over? *[Agreed]* Then we will call No. 10, and then we will call Bill 2.

So right now we will go to second reading of Bill 9.

SECOND READINGS

Bill 9—The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act

Hon. Gary Doer (Premier): I move, seconded by the Minister of Industry, Trade and Mines

(Ms. Mihychuk), that Bill 9, The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act; *Loi sur le personnel des Forces canadiennes (modifications relatives au droit de vote et aux privilèges rattachés à la conduite des véhicules)*, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Doer: This bill arises from advice I have received from the Member for Assiniboia (Mr. Rondeau), the Member for St. James (Ms. Korzeniowski), and from rank-and-file military members that we have been talking with and listening to, and also advice that comes from the Chief Electoral Officer dealing with The Elections Act amendments.

The Canadian Forces Personnel Amendments Act basically deals with two acts. One is an issue of rights, and one, in our view, is an issue of proper appreciation and accommodation for our great military personnel that are located in Winnipeg and serve Canadians and serve the world through their activity.

* (14:40)

Obviously, Mr. Speaker, this bill was introduced in December prior to the tragic events of two weeks ago, but it is important for all of us to say that we continue to have our thoughts with the soldiers and families that are recovering from those injuries. I had the chance to meet some family members on Sunday when I attended the prayer ceremony and service at the 2PPCL1 in Winnipeg on Sunday morning.

We again continue to mourn the loss of soldiers. Canadian soldiers are participating in activity now against the Al Qaeda group. We hope that this conflict can be resolved shortly with no more loss of life, and that peace can be restored to the Afghan people and to the inhabitants of that country who have gone through turmoil and war after war.

Mr. Speaker, the bill amends The Elections Act and The Highway Traffic Act. It would basically provide for new voting and driver's licence accommodations for Manitoba armed forces personnel and their immediate families

who are posted outside the province for extended periods of time. Military women and men who have said to us, when they serve for long periods of time waiting for training or peace-keeping duties, that they lose these privileges most of us take for granted. These changes would end inequities. This Legislature is ending inequities for our military men and women.

The Elections Act amendments specifically allow people to vote in a provincial election right now if they resided in Manitoba for at least six months immediately before the polling date. This bill would allow Manitoba residents who are members of the armed forces and their families to vote in Manitoba in general elections when posted outside the province for periods longer than six months. In other words, this takes into consideration, I think, the last group of soldiers that came back from Bosnia. In meeting with a number of the families, they were outside of Manitoba for over six months, and if an election had been called at that point or if there was a by-election, they would be disenfranchised from voting. This bill deals with that issue.

Other provinces have six months residency requirements, but this kind of exemption has been looked at by other provinces for federal employees and armed forces personnel. This change follows a recommendation of the Chief Electoral Officer dealing with peace keepers and military personnel.

The Highway Traffic Act is an issue that came to our attention from military personnel at the bases here in Manitoba, whether they be at 17th Wing, at 2PPCL1 or the forces that are located at Shilo. People say to us: We have had a very, very good driving record; we come from New Brunswick, we came from Ontario, we have had a very good driving record, and we have had no violations or accidents that would be considered demerits, but we have to start all over to get merits to get the Autopac reductions or other considerations if you in fact get in violation of the law.

So they want, legitimately so, to be considered as Canadians really for purposes of their drivers' licences. We would be considering them as Canadian citizens for treatment of merits. So therefore they can apply for merits

and this law provides a systematic way of doing that in this province.

The other problem is, of course, the military personnel that are posted away. If you are in Bosnia or you are in Afghanistan or some other area of theatre of conflict or theatre of peacekeeping, it is not the uppermost thought in your mind to renew your driver's licence. People are very concerned that they lose their driver's licence while being away serving Canada and the people of Canada. Therefore, this bill, Bill 9, would allow them to miss their renewal dates but not be disenfranchised from driver's licence privileges.

This bill also awards driver's licence merits to incoming forces and would ease the transition for military personnel and their families who have been posted to Manitoba. With this provision they could immediately be granted merit points providing their previous driving records are good. We think that for the driver who is conviction free and has a conviction-free driving history and no demerit points in a previous two-year period, this is an advantageous amendment.

These amendments provide authority for the registrar to review the out-of-province driving record of Canadian Forces members who move to Manitoba and apply for drivers' licences. The registrar could then assign the number of driving merit marks or demerit points, although I do not think people are going to be applying for demerit points, but merit points, Mr. Speaker, that the registrar considers would have been applied when they are licensed here in Manitoba. These changes can also apply to immediate and dependent family members of the Canadian Armed Forces.

Mr. Conrad Santos, Deputy Speaker, in the Chair

With the passage of this bill, this House can send a clear message that this Legislature supports our Armed Forces and their families. We value them as full Canadian citizens, and we recognize the considerable sacrifice they make for the benefit of all of us in often trying circumstances.

So, Mr. Deputy Speaker, I urge all members of this House to support this piece of legislation.

It is a way in which we can show our appreciation to the men and women that serve us so well around the world that are living in Manitoba. Thank you.

Mr. Stuart Murray (Leader of the Official Opposition): I rise to speak in support of Bill 9. The Premier has just spoken on what this bill will do for the men and women of our Armed Forces, so I will not repeat what it is the bill will do other than to say that clearly we support it. I think it is obviously recognizing something that is unfortunate has happened to our military personnel, Mr. Deputy Speaker, and that they are almost being penalized for ultimately doing what is, I think, the most noble service that anyone can do for their country, and that is to protect the country and travel abroad and ensure that democracies in all parts of this world are supported and given an opportunity to give those people in that country proper representation.

I think it is always a tough thing when you have certain privileges and you move or are asked to move for one simple reason, and that is to support your country, to do duty for your country, to go to another country and perhaps, as they are doing now, the Canadian forces are fighting the Al Qaeda. I think that is something we must respect. I think we have spoken about that in this House, and we have spoken about the tragedy that happened in the friendly fire accident that befell the men and women of our, particularly the men, I should say, that were tragically killed in that friendly fire.

I think this is one of the issues that, when you look at this Legislature, we always debate various stands and issues, but I believe that Bill 9 is one that we all feel we should be supporting because it recognizes that our men and women who travel abroad are doing so, and they should not, for one minute, not for one second, lose any privileges that they have enjoyed while they are Manitobans. In fact, I think we should be always referring to those people that are prepared to go on a daily basis to travel, to represent, to support democracy. Those people are heroes, and we are very fortunate that we have men and women, not only in Manitoba, that we see at the 2PPCL1 but as we see across the entire Canadian spectrum, those men and women who feel they are prepared to ultimately lay down their life to ensure that democracy is kept here in our country.

* (14:50)

So I am delighted this bill will be going to committee. I think it is absolutely the right thing to do, and so I would like to say for the record I am delighted to rise today and speak on behalf of my constituency in Kirkfield Park.

Every November 11, I know the member from Assiniboia is there on November 11 celebrating what it is that we believe so strongly in, that is, freedom, democracy, the ability to have the kinds of privileges that we all have here in this country. On that basis, I very much would like to stand and support Bill 9, Mr. Deputy Speaker, and I thank you for the opportunity to speak on it.

Mr. Deputy Speaker: Is the House ready for the question?

An Honourable Member: Question.

Mr. Deputy Speaker: The question before the House is second reading of Bill 9, The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act; Loi sur le personnel des Forces canadiennes (modifications relatives au droit de vote et aux privilèges rattachés à la conduite des véhicules).

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed and so ordered. I declare the motion carried.

DEBATE ON SECOND READINGS

Bill 7—The Local Authorities Election Amendment Act

Mr. Deputy Speaker: On the proposed motion of the honourable Minister of Intergovernmental Affairs (Ms. Friesen), Bill 7, The Local Authorities Election Amendment Act; Loi modifiant la Loi sur l'élection des autorités locales, standing in the name of the Member for Arthur-Virden (Mr. Maguire) with 29 minutes remaining.

Mr. Larry Maguire (Arthur-Virden): Mr. Deputy Speaker, I just want to take the last few

moments that I have to clarify a couple of issues around this particular bill.

As I said earlier, the changes to The Local Authorities Election Amendment Act, Bill 7, that is before the Legislature today, I am urging it to be placed on for second reading in my comments, but I will not go through the issues that have been outlined on this bill previously. I do want to touch base on a couple of concerns that have arisen from some members of Manitoba in regard to different organizations in regard to some of their concerns.

Another solution to this particular circumstance that might have arisen to clarify votes was to put a four-year time frame on so that landowners have to own the land and property four years ahead of time as non-residents, but a time delay just really plays into the hands of those who are maybe a little bit more organized. I would say that the inevitable outcome of a procedure even four years down the road certainly would minimize it but could still result in the same impact that happened in the 1990's circumstance in Winchester Municipality.

I said this morning that I applaud the minister for bringing in the six-month time frame ahead for the ownership of property, and I would concur with that. I think that that will help. Certainly we are within that time frame for this fall's election now, Mr. Deputy Speaker. I would just say that that time period is probably a less effective way of dealing with this circumstance than coming in with a particular number of voters in this circumstance.

Mr. Speaker in the Chair

I would also say that having two non-resident voters makes a more lenient, if you will, result than the eight of the thirteen jurisdictions, as I pointed out, in Canada that require you to be a resident only. I believe it is British Columbia that will allow one non-resident. This still provides some leniency, certainly for cottage owners and those types of people who have indicated intergenerational names being on land titles for transfers amongst generations is not going to be impacted by this as far as transferring the properties in their families. It does impact, in some cases, the number of

people who will be allowed to vote, as it would in other jurisdictions. Of course, those people always have the right to restrict the number of family members on those, but within family they would certainly be allowed to agree on who those two voters should be. I do not think that would be a major concern. In the numbers of cases we have looked at and the discussions that we have had so far with cottage owners on this bill, I will not say that it is a hundred percent though. There obviously are those who have a concern in that area.

One of the major concerns, I believe, is that administrators of municipalities in Manitoba think that this kind of a bill would make it a little more work for them—or in some cases, maybe, they think it would be a lot more work—in regard to administering the election process at the time of the election.

I have heard that statement made, but I would put forth a different view of that. I would believe that this will actually simplify the administrators' role in Manitoba in regard to The Elections Act. As it states right now in the circumstances for an election, those administrators, every four years now, are going to have to have a revised realty assessment roll to prove who the owners are and who has a right to vote in the present circumstance in Manitoba, but the new act that is being changed will not change that. They will still have to know who is on that realty roll, but the two names of the people in an undivided property coming forward in a multiple, non-resident ownership package will be determined according to the owners themselves. The onus is not on the administrators. As I understand the bill from discussions with the minister, the two voters will be those who come forward to the administrator of more than 50 percent of the names on that particular roll backing them as the two individuals who would vote. Once that is done, it makes it very easy, particularly with a six-month time frame in place, for the administrators to determine who the actual voters of that undivided piece of property are going to be far ahead of the actual election itself. In some circumstances where they do not have that information until the day of the election, if there was no restriction placed on that, then the first two voters to show up—it is not just the first two

that show up at the poll, it is the first two with a 50% list of names of those persons of property, indicating that they are the two to qualify as voters that will have that right to vote. This does not mean that the administration is going to have any more workload than they have at the present time.

To clarify it even further, if the non-resident owners of that particular piece of property do not come forward with any names, then of course no one gets to vote. It could be that clear. I would close by saying that I do support the circumstances around this and that this bill is bringing forward. There are a couple of my colleagues who would still like to make comments in regard to this bill, and I would urge them to do so, but in closing, I would urge the House to move this bill forward. I believe there is a need to have it in place for this fall's municipal election process that is taking place in October. I would urge the minister, once this has been through second reading and we have heard discussions, that if there are any amendments required at that time, we bring those forward to the House in time to have it put in place by the municipal process in Manitoba for this fall's election. Thank you very much, Mr. Speaker.

* (15:00)

Mr. Jack Penner (Emerson): Just to put a few words on the record on this, which I think is a relatively important bill. There have been a number of issues that, I think, bring this issue to importance in this province. One of them was the issue in western Manitoba, and there was another one that just recently occurred in eastern Manitoba in the Municipality of Piney, when the by-election happened, and voting procedures. I think the importance of the non-resident vote in those kinds of elections should not be ignored. I believe it was clearly demonstrated.

I think there is one other issue, Mr. Speaker, that needs some prominence in this House. That is this whole matter of livestock production, and what the now current government previously called factory farms and all those matters. I know some of the backbenchers here were very, very vocal on the factory farm issue. I think most of us who are from rural Manitoba, and are very aware of the so-called factory farms, find them nothing more than, very often, groups of

farmers banding together, and giving up their little 200- or 300-pig farms or buildings in their own backyards, and building a larger building, joining together as partnerships, building larger buildings, and bringing a much greater deal of environmental protection to the total environment than was previously ever possible.

I remember—and I will get to why I am rising on this issue to say this—because there was a municipal council ousted because of this. I think the by-election that occurred causes me to make these comments. Very often we hear blame of the intensive livestock operation. Still I hear the reference to the factory farm, and I believe that reference was previously invented by some of the backbenchers in the now-government side. But I refer to them as a threat to the environment, or they are being referred to by many organizations as a threat to the environment. I would suggest to you, Mr. Speaker, or anybody that has the opportunity to go down and gets the permission to even drive into the yards of these operations—go have a look at how they are operating.

We always had about 100 to 150 pigs on our farm. It was a large pig operation at the time when I was a youngster; one of the larger ones. But we had a wheelbarrow to take the slurry manure out of the barn. Anybody that knows a pig operation, if you have gutters, you will have far more liquid in those gutters than you will have solids. That is the case today. It is no different today. We had nothing but a wheelbarrow to take that out. And where did we dump it? Right behind the barn because there was nowhere that you could go in winter with a wheelbarrow. So we made our manure pile behind the barn.

Then in the springtime it would heat up, and we would call that composting. So the composting occurred. Did it smell? Yes, it did. But did anybody make a big fuss about it? No, because every farmer that existed had livestock, and had a manure pile in their backyard, very often very close to the house, especially in the Mennonite communities where the house and the barn were connected—the house barns. We are all familiar of the significant historical value of the Bergthal community and the designation of that

as an historical site. One of the reasons is because of those house barns.

So we had the manure piles right behind the barn in all of these cases. What happened in the spring of the year? The snow melted off these piles and the brown water ran into the ditch. You could see this in every village, brown water down to the ditch, into the creek and off to the river.

What happens today is the exact opposite. You have large berms constructed around the outside of these manure storage areas and no liquid can get out. When the snow melts, it runs into the berm and not outside. It cannot. Even the stuff that runs off to the outside, there is no manure there because if it drops outside of the berm, that is in violation of The Environment Act. So it must be cleaned up immediately, and the farmers do this religiously.

Yet, we hesitate. We hesitate to give those operations the credit that is due to them from an environmentally friendly standpoint to a much greater degree than ever was the case before. That is the truth, and if truth be known, when you come out to our place—I mean, I am surrounded by these things. I have probably eight barns within a three-mile radius of where I live, where our house is, and do we ever smell them? Very seldom ever. Do you smell them when the lagoons are being cleaned out? Very seldom ever, because there is a two-and-a-half mile pipe that is connected from the lagoon to the applicator which injects the liquid about six inches into the ground and you could drive onto it with your car and you would not smell the manure.

So do we need to pass maybe regulations and legislation that would offer the people of Manitoba some comfort, that municipalities would be able to say this is provincial law? I believe we need to strengthen that law, and I believe if we had a strong provincial law that would clearly demonstrate and indicate what could or could not happen in this province, we would not have had the resignation in the Municipality of Piney. We would not have had a by-election in the municipality, and we would not have had the need for better than a hundred non-resident voters to come in and vote in that by-election. I think that is the problem. That is

also something that needs to be addressed in this bill.

I think this bill clearly should indicate how we are going to allow outside interests into a municipality and what authority we give those outside interests to determine what needs to happen in those municipalities. I think the Minister of Intergovernmental Affairs (Ms. Friesen) needs to take another hard look at this legislation and maybe have some further discussions on this legislation with municipalities in how they would like to see those kinds of things prevented and what kind of further legislation would be required to ensure that the Piney situation does not occur again.
[interjection]

Now she says she does not want to go there. I do not doubt she does not want to go there, but that is the responsibility, Mr. Speaker, that is given to government, to make sure that these kinds of things are initiated by ministers.

Point of Order

Hon. Jean Friesen (Minister of Intergovernmental Affairs): Mr. Speaker, I just want to put on the record the member said that he heard something that I do not think he possibly could have heard. He must have heard something else.

Mr. Speaker: On the point of order raised by the honourable Minister of Intergovernmental Affairs, it is not a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: The honourable Member for Emerson.

Mr. Jack Penner: That is fine. I am done.

Mr. Speaker: The honourable Member for Emerson has concluded?

Mr. Jack Penner: I am done.

* (15:10)

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, I just wanted a moment to place

upon the record a concern that I personally have in regard to Bill 7, The Local Authorities Election Amendment Act. I recognize that the minister is undertaking amendments here to try and address concerns in regard to ownership and representation towards how those tax dollars on the owned properties are expended by participating in the electoral process.

I do want to ask the minister's consideration of a situation that the Minister of Agriculture is very, very well aware of, and that is the transition that is taking place on our farms within the province at present from one generation to another. In fact, there are going to be thousands of farms experienced with what I personally have experienced this past year with the passing of my father.

Over the years, the governments have encouraged persons to prudently manage their farms. One of those management tools is that of incorporation. So many, many farms within the province right now are deemed to be incorporated entities to which the farmers themselves are of one family association, yet the farm is operated under a corporate name and registered as a corporation with the province of Manitoba.

So farming, as you can appreciate, is large in scale for the most part, and a lot of jurisdictions now are multiple when it comes to farms. In other words, one farm can carry on its activity in different jurisdictions, different municipalities, and the farms, properties are owned by the corporation and farmed by that family under the incorporated name.

This legislation does not address the concern where a corporation will own property in two different municipalities. Unless one individual of that family who is farming that property is located in the other municipality, they do not get an opportunity to vote. I know that this legislation is trying to address the consideration of non-resident ownership, and I believe that this is an area that the minister should consider. Because we do not want to get into a wholesale evaluation of corporations and non-resident holdings, I would suggest to the minister that it would be very easily accommodated insofar as incorporated farms are very distinct in their make-up. They have to have at least 90 percent of their gross revenues generated from

agricultural activities, and it is that that makes them distinct as an incorporated entity.

I do believe that the minister has a perfect opportunity to amend this particular bill to allow for those of us that are living in one municipality yet own property and farm that property in another municipality, and to give the consideration to individuals to participate in the local electoral process that has a very, very significant bearing on their agricultural activities. It is not just the taxes and services that are of consideration from myself as a farmer, but we look to councils to recognize the farming activities that we undertake, whether it be for a permit to erect irrigation equipment, or whether it is consideration towards additional drainage. It is important that we have the opportunity to consider that those that are going to sit on municipal councils, the opportunity to vote for those that will understand and recognize the need for these types of activities to continue farming and experience some prosperity in that endeavour.

So I ask the minister to consider that, at this juncture in time, she bring forward an amendment that would address the concern which I outlined today, because I personally am not the only individual in this province that is experiencing ownership of properties that are not in the jurisdiction to which I live. But that is just the nature of farming today. We do have properties in other jurisdictions, and I believe that the Minister of Agriculture (Ms. Wowchuk) could very well provide the Minister of Intergovernmental Affairs (Ms. Friesen) with the numbers or percentages of farming families that are incorporated in the province which she could perhaps consider. But as I say, I am not asking the minister to open the door to all incorporations. It is just a consideration of farming corporations which are very distinct in their operation and creation under the incorporation act.

So I thank you very much, Mr. Speaker, for the opportunity this afternoon.

Mr. Speaker: Is the House ready for the question?

An Honourable Member: Question, question.

Mr. Speaker: The question before the House is second reading of Bill 7, The Local Authorities Election Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Bill 6—The Fortified Buildings Act

Mr. Speaker: Debate on second reading on Bill 6, The Fortified Buildings Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

Is there unanimous consent for the bill to remain standing in the name of the honourable Member for Pembina?

Some Honourable Members: No.

Mr. Speaker: No. Leave has been denied.

Mrs. Joy Smith (Fort Garry): I welcome the opportunity today to speak to Bill 6, The Fortified Buildings Act. I must say, Mr. Speaker, that it is always good to be able to see a piece of legislation that supports what the police are trying to do. As we take a look at this bill, there are many good things about it. We will be bringing in a couple of amendments to strengthen the bill and to help the bill have the kind of strength that would happen to put strength in it and to sew up some loose ends, as it were, to enhance the workings of the bill in the real world.

Now, looking at the bill itself, we have many things to consider. According to this bill, it deals with fortified buildings that pose a threat to public safety. So, an inspector appointed under this act may inspect a building believed to be fortified. The director of public safety may declare a fortified building to be a threat to public safety after considering factors such as the type of fortifications used, the area in which the building is located, and the persons who own or occupy the building. Also, Bill 6 supports that if a building is declared a threat to public safety, the director issues a removal order, requiring specified fortifications to be removed from the building by a fixed date. The bill also provides penalties for offences such as failing to comply with a removal order, or entering a building

which is the subject of a closure order. In actual fact, Mr. Speaker, a person could face up to three months in prison and a fine of up to \$5,000—or \$10,000 for corporations—for disobeying an order to remove fortifications.

* (15:20)

There is justification for the bill. It includes the fact that the fortification of buildings can prevent emergency response personnel and law enforcement officials from gaining access to those buildings in an emergency. This bill also addresses the fact that the fortification of buildings composes a threat to the safety of the people inside those buildings by making it difficult to escape in an emergency. It also addresses the fact that fortified buildings are sometimes used by people involved in crime or other activities that disrupt the peace and the safety of communities and neighbourhoods.

Now, Mr. Speaker, as we know, Québec is the only other province with an anti-gang bunker law. It was passed in 1997, and Québec's law allows municipalities the option of passing by-laws to shut down fortified clubhouses. At this time, we also know that Ontario is looking at similar legislation.

It is important that we are sending a clear message that this kind of fortification to keep police out is not something that will be tolerated in this province. It also should be noted that, in the real-world situation, police often do not know that a building is fortified until they start to enter it. What happens is, when they start to go in there can be the steel doors there, there can be the fortification there, and it is not always easy to identify a fortified building, because fortified buildings that are run by outlaws—that are run by bikers' organizations—often camouflage the fortification in such a way that it cannot be identified. So the intent of the bill, as good as it is in terms of trying to give some tools to the police force to be able to go in and be able to identify fortified buildings, there is this other aspect that all fortified buildings cannot be identified until the police actually try to break down the doors.

The intention, I believe, of this bill is clearly to go after places where fortification can predict criminal activity. There are checks and balances throughout the legislation, including the right of

appeal, which would help the public to some degree in the event that there was some question about personal property, or there were some personal fortified buildings, some personal homes, some personal businesses that had bars on them.

There are a few amendments that need to be put forward addressing the issue of residential dwellings, because we need to have the amendments that exclude residential dwellings from the term fortified dwelling—if the dwelling has been fortified in a manner that does not exceed reasonable security measures commonly taken for a residential dwelling.

As we know, Mr. Speaker, there are some residential dwellings that, indeed, are fortified over and above what are normally considered regular safety measures. This is because some residents can be afraid. It depends what community they are living in, depends what they have experienced in their life experiences. Sometimes there are seniors who feel at risk out in the public, so there needs to be some provision, and there will be some amendment to the act to ensure that these people are protected.

The amendment that we will propose responds to the concern that businesses, also, that take normal security measures, such as installing metal bars, et cetera, may be caught by the term "fortified building," and thus be subject to Bill 6, or this particular act.

This amendment that we will be introducing will prevent the director from designating a commercial building as a fortified building if the fortifications are just reasonable security measures commonly taken for a commercial building.

Mr. Speaker, our amendment on this side of the House will include any structure or premises, such as in a commercial setting that were maybe necessary for security purposes to fortify perimeter areas such as yards, fences, parking lots, et cetera, because, at times, that is necessary. Although the definition of a fortified building might fall within the parameters of Bill 6, it still puts the business community at risk without this kind of amendment. So there are many types of commercial buildings and

different security measures. So, for commercial buildings, we have to make sure that those are protected, especially in a democratic society in which we live.

Also, as we go through it and we talk about the director of public safety, we will be putting forth an amendment that assures that the person appointed as the director of public safety, who indeed has many powers under Bill 6, including the power to designate a building as a fortified building, has some experience in law enforcement, either as a police officer or has some knowledge, knows what he or she is doing in terms of addressing a building as being a fortified building and thus subject to the ramifications of that definition under Bill 6.

On the surface, the bill looks good and our members on this side of the House will be supporting it. I do have some concerns, however, in how inspectors are trained, and some of the ramifications and some of the amendments that we have brought forward right now have expressed some of our concerns. We are hoping that those amendments will pass at the table at Law Amendments.

I know Inspector Stan Tataryn, head of the Gang Unit with the Winnipeg Police, welcomed the bill, saying it gives us another tool in our tool chest. Right now we have crack houses that, by the time we get in, they have flushed everything down the toilet.

I very much respect Inspector Tataryn's opinions and will support the fact that this can be an extra tool in the police tool chest to eradicate gang activity and drug activity within our city.

On the downside, I would have hoped that there would have been more police involvement when this legislation was drafted. I think that there are some ramifications in this bill that we will have to evaluate as it is implemented in the real world, out there on the streets. I do know also that there is a possibility that there could be a Charter challenge because property rates are not enshrined in the Constitution.

Although this bill is well intended and the legislation is well intended, it might be, at some point in time, in for some difficulty because you cannot take property without stating the right

you have to do so on the basis that it is used for criminal activity. You have to prove beyond a reasonable doubt that there is something going on inside that building and that it does fall within the fortified building constraints.

So, having said that, Mr. Speaker, it is quite apparent that this bill does have a lot of strengths that we are taking into consideration. There are some housekeeping kinds of things in the bill that we have to be aware of. There are some issues that we will be asking about during the public dialogue on this bill. I think that we have to be very careful that the bill is written in such a way that it achieves the objectives that are trying to be reached.

Now, the inspector, the director of public safety, declares a building to be a threat to public safety, and that is why the amendment that we will be introducing to make sure that the director of public safety does have the law enforcement training or does have the ability to understand what a fortified building is all about. I would hope that members opposite would be agreeable to passing that amendment because I think it does strengthen the bill in a very specific way.

A big strength of this bill, Mr. Speaker, if in effect a building is declared a threat to public safety, the director uses a removal order requiring specified fortifications to be removed from the building by a fixed date. Indeed, if those fixtures or fortifications are not removed by that fixed date, the director can issue a closure order. I think that is a very strong part of the bill, and I think that does send a message that would be very prudent, especially in the time here in the city of Winnipeg when crime is on the rise.

As I said this morning, I have great concern about the lack of respect for police officers on the street. I have great concern that our police officers are under siege and that four of them have been shot this year within the space of a very short time. I am very concerned that we have one of the best police forces in the world, I daresay, not only in Canada but in the world. You can see that in spite of the challenges the police force has had, in spite of the lack of police officers on the street, in spite of the lack of support in the joint forces unit, and in spite of the other challenges that the police are facing in

the public, they have done an absolutely wonderful job, a stellar job. We can see that by the increase in the huge drug busts that are coming down now.

I commend the Winnipeg Police Service for their wonderful work, for their very professional work and for their commitment to making this province and this city and the city of Brandon a safe place for families to live and work and grow children up. We need to put all of the tools in place that are necessary to make that happen.

Regrettably, a few minutes ago in the hallway, as I was out there with the Attorney General, I heard the Attorney General say quite publicly that members on this side of the House had held up the bills and were not willing to have the bills go through, and this was way back in December. I might point out that we said at that time, or members on this side of the House said quite categorically, that we were very interested in passing this very important information, these very important bills. We were very supportive of the fortified buildings.

We had some questions. Having said that, it is a responsible government, a responsible opposition that looks at bills, makes recommendation, goes out to the public to collaborate with the public. We were only a scarce two weeks in this House before it was adjourned. I felt that it was an irresponsible comment made out in the hallway when the Attorney General said quite categorically that members on this side of the House were not supporting the legislation that was in here, were not supporting the fortified buildings legislation, because that simply just is not true.

It is unfortunate when responsible comments cannot be made, especially in such serious matters. I want to point out that today we have passed very quickly, in one day, The Highway Traffic Amendment and Summary Convictions Amendment Act. That is Bill 3. We have passed The Local Authorities Elections Amendment Act. We passed very quickly this morning The Limitation of Actions Amendment Act. We passed The Canadian Forces Personnel Act and The Environmental Amendment Act. I believe that, by the end of the day, we will have The Fortified Buildings Act ongoing into the House as well. So we want to see these bills passed and

on into committee, so we can have discussions and get these bills passed.

* (15:30)

So it is unfortunate that today we have experienced in this House, the lack of support for the police force here in Manitoba, the smoothing over and the smoke and mirrors political comments that are made about the police complement from members on the other side of the House, from members who actually govern this province. We hear flowery speeches about how concerned they are, that four police officers are shot. Well, that is fine and good, but, in reality, we need to have the police complement up at all times. We need to have gang units in place. We have to have joint forces units in place, for the child pornography and the Internet crime that is growing in leaps and bounds, here in the province of Manitoba.

Having said that, I had to put these comments regrettably on record, because I can sit and I can hear members opposite sort of smiling and taunting, and I think it is regrettable that in this House this irresponsible attitude is prevalent concerning the crime; because people are unsafe on the streets, people are unsafe in their homes. You know when it hits home, when it hits members on the other side of the House, when it hits us, then it comes home. And the rising crime rates here in the province of Manitoba is something we have to address. People have a right to be safe. People have to have a right to be told the truth.

Mr. Speaker, having said that, when we talk about Bill 6 and we talk about The Fortified Buildings Act, I want it on record saying that we see many merits in this act. We see many good things that can come out of this act. We see things, tools that police can use to help them in their job, and I think that we need to go beyond the political game playing and the photo ops and the TV shows. What we have to be is responsible in what we do in government, here, in this House. I have to say that members on this side of the House have acted today in a very, very responsible way. When we called members opposite in, to resume, and you will recall, it is on record, we asked them to come back the 1st of January to resume, so we could continue with these very important bills. I have to put on

record that today we have demonstrated in a very clear manner that we are taking these bills very seriously, and that we were not just holding things up because we are Opposition. What we are doing is saying, these have merits. We are trying to strengthen the bills. We have taken, we have done our homework, we have gone out, we have collaborated, we have done the work that it takes to strengthen the bills.

That is why today you see the passing of these bills so quickly. There is no argument. But in committee you will see the amendments, and I would predict that politically members opposite probably will not accept any of the amendments, because they are very arrogant about we are Government, so we can say or do anything we want. Well, the fact of the matter is, there are some members on the other side of the House that are extremely integrous. There are some members that I have the greatest respect for. I must say, you are one of them, Mr. Speaker. There is no doubt about that.

But having said that, I wish that that kind of positive influence could be available at the caucus level. I know we all make mistakes on both sides of the House, but, regrettably, today when I was listening to what the Attorney General (Mr. Mackintosh) had to say about our not wanting to pass any bills and holding bills up, well, I can say with the Attorney General sitting there right now, and any good scholar, and I consider myself a good scholar. I do have a master's degree. I have spent a lot of years studying, and I have learned that you need to do your homework. *[interjection]*

Yes, I am very proud of the fact I, also, was a teacher for many years. I am very, very proud of that, and members across the way are sort of making disparaging remarks about the fact. I very proudly say, I taught for 22 years. Yes, I proudly say that I do take scholarly examination of these very important laws that impact on Manitobans very, very seriously. So the fact of the matter is, I want on record, and I would like to have an apology from the Attorney General, which I do not expect we would ever get, but the fact of the matter is that we are not holding up these bills. Today we have passed those bills. We have put bills through. We have done our very best. We have taken the time to strengthen the bills, and put amendments in to help the

Current government out in making sure these are the best-possible laws. I know under my jurisdiction I have spent many, many hours. Here in the House, it is regrettable, sometimes I feel like I am back teaching junior high because I see on the other side, in fact, the junior highs behave better in some respects, but you know we should not be taunting back and forth, as members opposite are at this occasion when I am talking about the very serious bills. Yet we can go out in the hallway, or members opposite like the Attorney General can go out in the hallway, and say that the Opposition has held up the bills. How unfortunate, how untruthful.

So, Mr. Speaker, what I am saying is, in spite of the irresponsible remarks and in spite of the derogatory manner in which the Opposition was portrayed by the current Government, I can assure you, with all due respect, that we have examined these bills extremely carefully. We have had the time to do that. In fact, we could have done it if this Government had stayed in the House during January and part of February. We could have got this legislation out and running right away. In spite of that, we took our time, we did our homework. That is why you are seeing today, in spite of the fact the Attorney General (Mr. Mackintosh) is still making derogatory remarks; in spite of that, we are prepared to make sure that these bills go through.

I would also challenge members opposite, when the amendments come through, that they not agree that because the amendments came from the Opposition that they have to vote against them. I would hope that they would take a responsible attitude toward the law-making process here in the province of Manitoba, and look at the amendments with a clear eye, with an intelligent eye, with some serious consideration to accepting those amendments; and, in the event that they want to reject the amendments, have some intelligent, reasonable reasons for doing that.

I would be so pleased, Mr. Speaker, if I could continue my presentation. I can hardly hear myself with the noise from across the way.

Mr. Speaker: Order. Would honourable members please carry on their conversations in

the loge or out in the hallway because it is very difficult to hear.

The honourable Member for Fort Garry has the floor.

Mrs. Smith: Thank you, Mr. Speaker.

On The Fortified Buildings Act, I do commend members opposite for putting forth a bill that would support, put another tool, as it were, in the toolbox that the police use in their daily lives, in their daily fight against crime. Fortified buildings, as I said, is an issue that needs to be addressed, and I commend members opposite for putting the bill together. From this side of the House, Mr. Speaker, I have to say we are very pleased to be able to—I know we will be accepting this bill except for a few amendments.

So, Mr. Speaker, I will conclude my comments. I will not take my full time because I think I have put everything on the record that is needed, and I want to thank you for this opportunity.

* (15:40)

Hon. Jon Gerrard (River Heights): I would like to put a few words on the record on The Fortified Buildings Act. I look forward to a discussion of this bill at the committee stage.

I think there is one aspect in particular that I have raised before Christmas and will raise again now that concerns me. This is the question of how and to what extent this act passed by this Legislature will apply within the First Nations communities in Manitoba. I think this is quite an important issue because if one looks at a situation in The Pas, as one example, and there were a fortified building in the town of The Pas and this Act is passed, it is quite conceivable for the individuals involved to dismantle it and put up a fortified building on the OCN. Until one has a clarification of the jurisdiction of this act and how it will apply throughout all of Manitoba, there is a risk that we are going to cause a lot of problem for the people in the First Nations communities of this province.

When I asked this question before Christmas, there was not adequate clarity given to the answer and I think it is very important that

we not cause trouble for the Aboriginal people of this province. I want to conclude my comments at this point, but I do believe there is an issue that it is important that we have very clear before this legislation is passed so that we are not causing problems for people in the First Nations communities of this province. Thank you.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 6, The Fortified Buildings Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

SECOND READINGS

Bill 10—The Environment Amendment Act

Mr. Speaker: As previously agreed, second reading of Bill 10, The Environment Amendment Act, standing in the name of the honourable Member for Ste. Rose.

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, this bill is an amendment to The Environment Act and, having heard the presentation of the Minister of Health, it does provide some insight into the approach that he intends to take. However, I will be interested to hear the explanation of the Government and the Minister of Health (Mr. Chomiak) on their approach in developing this act because in many respects the authority they are seeking under these amendments is already there and probably has been demonstrated in the use of the emergency measures for equine encephalitis and situations such as that that have occurred before.

Nevertheless, it is a very serious issue that the minister raises this amendment in relationship to and, certainly, one that we have no intention of making it difficult to deal with a potential such as the West Nile disease, because it is mosquito borne and it is one that strikes considerable concern into the hearts and minds

of the general public. The government of the day needs to have the appropriate authority to deal with it and make sure that not only can they do the monitoring and education, that if per chance we ever actually had to deal with it, that the government of the day would have appropriate authority.

I will be asking some questions in relationship to the matters that I just outlined when this bill is in committee, because I think it is the type of discussion that is more appropriately held at the committee level in terms of questions and answers between the Government and their critics and whether or not this is appropriate authority, whether there are checks and balances, if necessary. For those reasons, I believe that we would be prepared to see this bill move to committee and then we could expedite that discussion and move this bill forward appropriately.

Mr. Speaker: Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is Bill 10, The Environment Amendment Act. Is it the pleasure of the House to adopt the motion?

An Honourable Member: Agreed.

Mr. Speaker: Agreed and so ordered.

DEBATE ON SECOND READINGS

Bill 2—The Security Management (Various Acts Amended) Act

Mr. Speaker: Resume debate on Bill 2, The Security Management (Various Acts Amended) Act.

I have to advise the House of a matter in conjunction with Bill 2 that is listed as standing in the name of the former member for Lac du Bonnet. As members may recall, the former Member for Lac du Bonnet was given the unlimited speaking designation by the Leader of the Official Opposition (Mr. Murray) for Bill 2. The former Member for Lac du Bonnet did speak in the debate on the bill on December 5, 2001, and did speak in excess of 40 minutes. Given that the former member for Lac du Bonnet has spoken in the debate and did speak for longer than 40 minutes, the unlimited

speaking time for Bill 2 cannot be transferred to another member.

As rule 41.(2) states: "The Leader of the Government, the Leader of the Opposition or a Leader of a Recognized Opposition Party may each designate one Member to speak in a debate."

One member has been designated. The unlimited speaking time cannot be transferred to another member, unless the House grants unanimous consent to waive the provision of rule 41.(2) pertaining to designation of one member for the unlimited speaking time. I am, therefore, directing that the name of the former Member for Lac du Bonnet be removed from the Order Paper in connection with Bill 2.

Mr. Marcel Laurendeau (Official Opposition House Leader): Mr. Speaker, I was wondering if there might be leave of the House to let it stand in the name of the honourable Member for Lac du Bonnet (Mr. Hawranik), the new member, with the unlimited time.

Mr. Speaker: Is it the will of the House for the bill to remain standing with the designation of the unlimited speaking designation by the leader, to be transferred to the new member of Lac du Bonnet? Is there agreement?

An Honourable Member: No.

Mr. Speaker: No, it has been denied.

On the proposed motion of the honourable Attorney General, Bill 2, The Security Management (Various Acts Amended) Act, standing in the name of the honourable Member for Fort Garry (Mrs. Smith).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there the will of the House for it to remain standing in the name of the honourable Member for Fort Garry?
[Agreed]

* (15:50)

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I would like to announce that the Standing Committee on Law Amendments will meet at 10 a.m., on Tuesday,

May 7, to consider the following bills: Bill 8, The Limitation of Actions Amendment Act; and Bill 6, The Fortified Buildings Act.

Further, Mr. Speaker, I would like to announce that the Standing Committee on Law Amendments will meet at 6:30 p.m. on Tuesday, May 7, to consider the following bills: Bill 3, The Highway Traffic Amendment and Summary Convictions Amendment Act; Bill 7, The Local Authorities Election Amendment Act; Bill 10, The Environment Amendment Act.

Mr. Speaker: It has been announced that the Standing Committee on Law Amendments will meet at 10 a.m. on Tuesday, May 7, 2002, to consider the following bills: Bill 8, The Limitation of Actions Amendment Act; Bill 6, The Fortified Buildings Act.

It has also been announced that the Standing Committee on Law Amendments will meet at 6:30 p.m. on Tuesday, May 7, 2002, to consider the following bills: Bill 3, The Highway Traffic Amendment and Summary Convictions Amendment Act; Bill 7, The Local Authorities Election Amendment Act; and Bill 10, The Environment Amendment Act.

* * *

Mr. Mackintosh: Mr. Speaker, there was earlier agreement to waive private members' hour today. Is it the will of the House to call it six o'clock?

Mr. Speaker: Is it the will of the House to call it six o'clock? *[Agreed]*

The time being 6 p.m., this House is now adjourned and stands adjourned until Monday at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 2, 2002

CONTENTS

ROUTINE PROCEEDINGS		Oral Questions	
Tabling of Reports		Taxation Murray; Doer	1011
Annual Report of the Manitoba Labour Board for the year 2000-2001 Barrett	1009	Winnipeg Police Service J. Smith; Doer J. Smith; Mackintosh	1012 1013
Annual Report of the Workers Compensation Board of Manitoba for the year 2001 Barrett	1009	Midwifery Programs Mitchelson; Chomiak	1014
Workers Compensation Board of Manitoba, Five-Year Plan for 2002-2006 Barrett	1009	Winnipeg Regional Health Authority Mitchelson; Chomiak	1015
Annual Report of the Workers Compensation Board Appeal Commission and Medical Review Panel for the year 2001 Barrett	1009	Crown Corporations Gerrard; McGifford	1016 1016
Manitoba Lotteries Corporation, Second Quarter Report for the period April to September 2001 McGifford	1009	Casino Renovations Gerrard; McGifford Gerrard; Doer	1016 1016
Manitoba Lotteries Corporation, Third Quarter Report, Nine months ended December 31, 2001 McGifford	1009	Transportation Struthers; Ashton	1017
Supplementary Information for Legislative Review 2002-2003 – Departmental Estimates of Expenditure Sale for Selinger	1009	U.S. Agriculture Legislation Jack Penner; Wowchuk Jack Penner; Doer	1018 1018
Introduction of Bills		Speaker's Ruling Hickes	1019
Bill 14 - The Public Schools Modernization Act (Public Schools Act Amended) Caldwell	1009, 1010	Members' Statements Public Safety Initiatives Schellenberg	1019
Bill 15 - The Fatal Accidents Amendment Act Mackintosh	1009, 1010	Baldur Stefansson Helwer	1020
		High School Hockey Championship Korzeniowski	1020
		Steinbach Credit Union Jim Penner	1020
		Assiniboia West Tournament of Champions Rondeau	1021

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Second Readings

Bill 9—The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act	
Doer	1021
Murray	1023
Bill 10—The Environment Amendment Act	
Cummings	1033

Debate on Second Readings

Bill 7—The Local Authorities Election Amendment Act	
Maguire	1024
Jack Penner	1025
Faurschou	1027
Bill 6—The Fortified Buildings Act	
J. Smith	1028
Gerrard	1033
Bill 2—The Security Management (Various Acts Amended) Act	
Laurendeau	1035